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FAX NO.

P. 04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Martin Matula, Peter Hrebejk

Assignee: Sun Microsystems, Inc.

Title: APPARATUS FOR DYNAMIC IMPLEMENTATION OF JAVA™
METADATA INTERFACES

Serial No.: 09/848,392 Filed: May 2, 2001

Examiner: Diem K. Cao Group Art 2126
Unit:

Docket No.: P-5775CNT

Santa Clara, CA

Mail Stop AF
Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE
PATENTING REJECTION OVER PENDING SECOND APPLICATION
INCLUDING STATEMENT UNDER 37 CFR 3.73(B)**

Sir:

The owner, Sun Microsystems, Inc., a Delaware corporation, having a place of business at 4120 Network Circle, Santa Clara, CA 95054, of the entire interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 09/847,781 filed on May 1, 2001, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant

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application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The undersigned (whose title is supplied below) represents that she is a representative empowered to act on behalf of the owner.

The owner states that it is the assignee of the entire right, title, and interest in the instant application by virtue of an Assignment from the inventor(s) of the instant application to Sun Microsystems, Inc.. The assignment was recorded in the Patent and Trademark Office at Reel/Frame 011805/0939. The owner states that it is the assignee of the entire right, title, and interest in the pending second application by virtue of an Assignment from the inventor(s) of the pending second application to Sun Microsystems, Inc.. The assignment of the pending second application was recorded in the Patent and Trademark Office at Reel/Frame 011805/0939.

I hereby declares that all statements made herein on my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the

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United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

02/09/05

Date

Marilyn E. Glaubenskle

Signature

Marilyn E. Glaubenskle
Assistant General Counsel
Sun Microsystems, Inc.